

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

R.A., JR., etc.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 3:06cv337-WHA
)	
DEPUTY SHERIFF WALTER LACEY,)	
)	
Defendant.)	

ORDER

This case is before the court on the Plaintiff's Objection to Defendant's Intent to Use Deposition Parts (Doc. #51), filed on April 19, 2007. Plaintiff objects to the use of portions of the deposition of Richard Arnold and Richard Arnold, Jr. for any purpose other than to refresh memory, impeachment purposes, and/or rebuttal purposes.

Rule 32(a)(2), *F.R.E.*, provides that: "The deposition of a party . . . may be used by an adverse party for any purpose." Therefore, the objection is **OVERRULED**.

As to the reading of portions of these depositions by the Plaintiff, such may be done only for the purpose of responding to portions of a deposition used for impeachment purposes while cross-examining the witness, directly responsive to such impeachment.

DONE this 21st day of May, 2007.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE